

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	No. CR-14-342-C-01
)	
MAURICE MORLEE JOHNSON,)	
)	
Defendant.)	

ORDER

Defendant has filed a Motion seeking a recommendation from the Court for early compassionate release. He has also filed a second Motion providing additional information about his medical condition and requesting a modification in how his sentence is completed. Plaintiff has filed a Response to the Motions and the matter is now at issue.

As Plaintiff notes, the relevant statute – 18 U.S.C. § 3582(c)(1)(A) – imposes three criteria: (1) filing requirements; (2) extraordinary and compelling reasons; and (3) that the reduction is consistent with the 18 U.S.C. § 3553 factors. Here, Defendant has satisfied the filing requirement, as the current request is filed more than 30 days after requesting relief from the facility warden. It is on the next two factors that Defendant's request fails.

While Defendant does appear to have two medical conditions (obesity and high blood pressure) that increase his health risk should he contract COVID-19, those factors are insufficient to warrant the relief requested. The family situation outlined by

Defendant does not constitute an extraordinary and compelling reason under the relevant policy. Even if the Court were to find the medical and family conditions as extraordinary and compelling, Defendant would not be entitled to relief. As noted above, any relief must also be consistent with the 18 U.S.C. § 3553 factors. As Plaintiff notes in its Response, the nature of Defendant's criminal conduct and the relatively short amount of his sentence that has been served weigh against early release.

To the extent Defendant seeks emergency-based home confinement, the Court finds that remedy is inappropriate. As Plaintiff notes, Defendant is currently housed at a high security facility and his scores on a recidivism analysis indicate he is a high risk for recidivism.

For the reasons set forth herein, Defendant's Motions seeking compassionate relief (Dkt. Nos. 115, 116) are DENIED.

IT IS SO ORDERED this 4th day of August, 2020.



ROBIN J. CAUTHRON
United States District Judge